

Docket No. 60578-0186



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MAGNUSON

Serial No.: 10/028,371

Filed: December 28, 2001

For: Bracket for Mounting Either a
Fixed or Pivoting Armrest

)
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) Art Unit: 3636
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PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER RULE 1.181

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has received a Notice of Abandonment (copy enclosed) for failing to respond to the Notice to File Missing Parts dated February 1, 2002. Applicant petitions for a withdrawal of the holding of abandonment because a timely response was filed on April 10, 2002. A copy of the as-filed Response to Notice to File Missing Parts, Declaration and Power of Attorney and PTO date-stamped postcard receipt is enclosed.

Since Applicant did timely file a response to the Notice to File Missing Parts, the application is not abandoned, and there is no need to file a petition to revive or payment of the associated petition fee.

Serial No.: 10/028,371

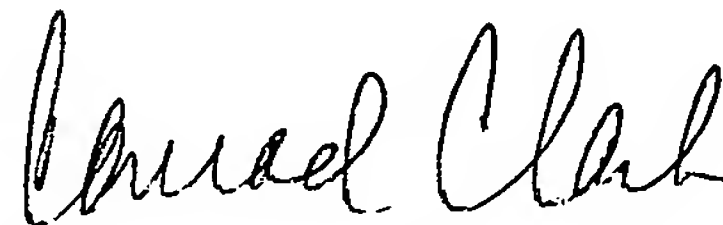
Applicant requests entry of the attached Response to Notice to File Missing Parts with Declaration and Power of Attorney and an expedited office action due to the delay in the prosecution of this application.

The undersigned hereby affirms that the Response to Notice to File Missing Parts that was dated April 10, 2002 was hand carried to the Patent and Trademark Office on April 10, 2002, and was thus timely filed.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088, including petition fees, extra claim fees and extensions of time.

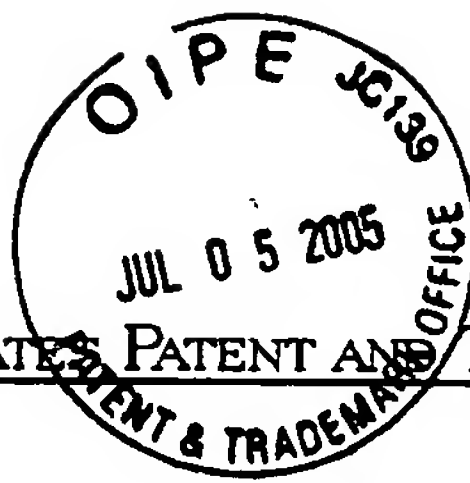
Respectfully submitted,
CLARK & BRODY

By



Conrad J. Clark
Reg. No. 30,340

1750 K Street, NW, Suite 600
Washington, DC 20006
Telephone: 202-835-1111
Facsimile: 202-835-1755
Docket No.: 60578-0186
Date: December 4, 2003



CJC
DOCKETED
60578-0186

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/028,371	12/28/2001	Richard Magnuson	60578-0186

**Conrad J. Clark
Clark & Brody
Suite 600
1750 K Street
Washington, DC 20006**

CONFIRMATION NO. 3354

ABANDONMENT/TERMINATION LETTER



OC000000011334741

Date Mailed: 11/24/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/01/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



PLEASE DATE STAMP & RETURN

Docket No. 60578-0186 SN 10/028,371 Appln. Filing Dt 12-28-01

Patent No./Reg. No. _____

Grant Date _____

Applicant Magnuson

Attorney CJC

Patent Application _____

TM Application _____

Pages of Specification _____

Drawings/Specimens _____

Number of Claims _____

TM Assignment _____

Sheets of Drawings _____

TM Response _____

Assignment _____

Statement of Use _____

Small Entity Claimed _____

Extension of Time for SOU _____

Declaration/POA _____

Section 8 or 8&15 _____

IDS _____

Notice of Opposition _____

Preliminary Amendment _____

Renewal _____

Claim of Priority / Priority Doc. _____

Amendment/Response _____

Extension of Time _____

Issue Fee _____

Maintenance Fee _____

Prepared By TB

\$ _____

Due Date _____

Other Petition to Withdraw
Holding of Abandonment,
Copy of Notice to File M.P.
Dec/POA + stamped postcard
receipt + copy of Notice of Ab.

Today's Date 12-4-03

Check No.: _____

BEST AVAILABLE COPY

CLARK & BRODY
1750 K Street N.W.
Suite 600
Washington, D.C. 20006
Telephone: (202) 835-1111
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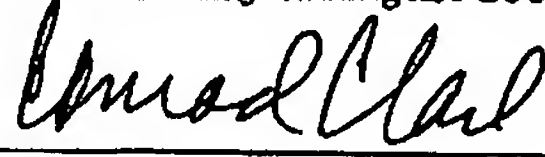
FACSIMILE TRANSMITTAL SHEET

PLEASE DELIVER TO: ANITA GREEN USPTO
FACSIMILE NUMBER: 703-746-6608

SENDER: Conrad Clark
DATE: August 18, 2004
CLIENT NO. 60578-186; serial no. 10/028,371
NUMBER OF PAGES (INCLUDING COVER PAGE): 2

COMMENTS:

I hereby certify that this communication is being transmitted by facsimile to the USPTO at the noted number this 18th day of August 2004.



Conrad Clark

If not all pages are received, please contact *Melissa Garton* at (202) 835-1111.

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TX RESULT REPORT

NAME: CLARKBRODY
TEL : 2028351755
DATE: AUG. 18' 2004 16:02

SESSION	FUNCTION	NO.	DESTINATION STATION	DATE	TIME	PAGE	DURATION	MODE	RESULT
2051	TX	01	USPTO	AUG. 18	16:02	002	00H00'39"	ECM	OK

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1750 K Street N.W.
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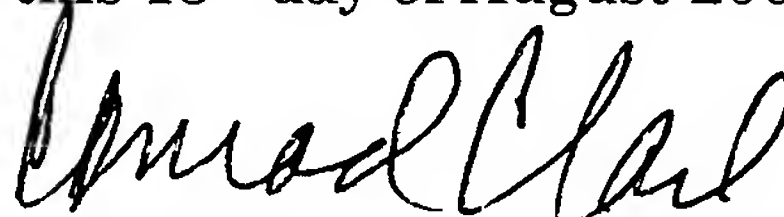
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MAGNUSON

Serial No.: 10/028,371

Art Unit: 3636

Filed: December 28, 2001

Title: Bracket For Mounting Either A Fixed Or A Pivoting Armrest



COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to a request by Anita Green in telephone conference today, applicant wishes to clarify that the submission on April 11, 2002, of the declaration executed only by Richard Magnusson was a submission under 37 C.F.R. 1.48(f)(1) to correct inventorship. Richard Magnusson is the sole inventor in this application.

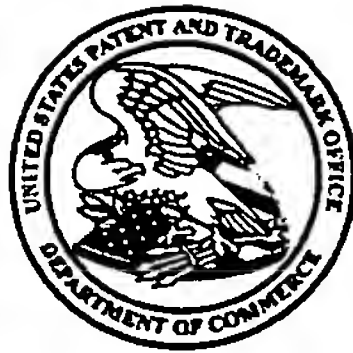
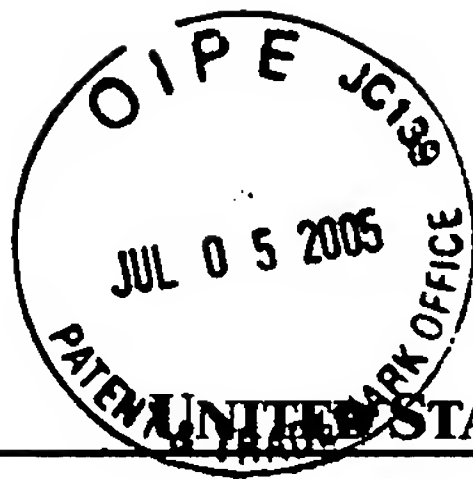
Respectfully submitted,

CLARK & BRODY

A handwritten signature in cursive script, appearing to read "Conrad J. Clark", written over a horizontal line.

Conrad J. Clark
Reg. No. 30,340

1750 K Street, NW, Suite 600
Washington, DC 20006
Telephone: 202-835-1111
Facsimile: 202-835-1755
Docket No.: 60578-0186
Date: August 18, 2004



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DOCKETED
60578-0186

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER OF PATENTS

June 21, 2005

Conrad J. Clark
Clark & Brody
Suite 600
1750 K St., N. W.
Washington, DC 20006

In re Application of:

Magnuson

Serial No: 10/028,371

On Petition

Filing Date: December 28, 2001

For: **BRACKET FOR MOUNTING EITHER A FIXED OR A PIVOTING ARMREST**

In response to the petitions received on December 4, 2003, to withdraw the holding of abandonment in the above application.

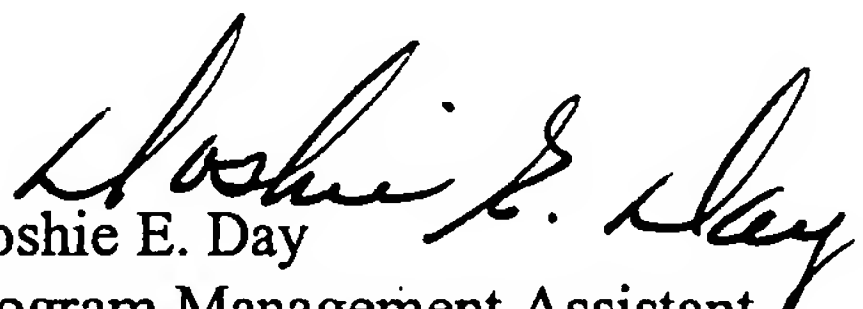
The petition is Granted.

The above-identified application became abandoned for failure to reply with the meaning of 37 C.D.R 1.113 in a timely manner to the Notice to File Missing Parts of Nonprovisional Application mailed January 28, 2002. Which set forth a shortened statutory period for reply of two months. Accordingly, the above-identified application became abandoned March 28, 2002. The notice of abandonment was mailed on November 24, 2003.

The evidence submitted is sufficient to establish that the petitioners responded to the Notice to File Missing Part of Nonprovisional Application on April 10, 2002.

The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this application may be directed to Doshie E. Day (703) 308-3640.


Doshie E. Day
Program Management Assistant
Office of Initial Patent Examination

CLARK & BRODY

RECEIVED